

EXHIBIT 2



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 04/10/2017 14:53
Login ID: pdhwn
Case Number: 2017-00116301

*MADISON POLICE DEPARTMENT
ORI Number: WI0130100

Case

Case Number: 2017-00116301
Location: W GORHAM ST
Madison, WI 53703
Reporting Officer ID: 5347 - RIVERA

Incident Type: Battery Agg/Substantial
Occurred From: 04/09/2017 05:05
Occurred Thru: 04/09/2017 05:11
Disposition:
Disposition Date:
Reported Date: 04/09/2017 05:11 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	13A	940.19(2)	SUBSTANTIAL BATTERY/AGGRAVATED/INTEND BODILY HARM	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Victim	1	OTRADOVEC, CASH R	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Witness	1	FRITSCH, ZACHARY MICHAEL	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Witness	2	KOTZIAN, NICKOLAS B	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
------------	------	---------	-----------	------	-----

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
------	------	------	------	-------	-------------	---------	----------

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
-----	------	--------------	------	------	-------	-------	---------------	-------



Case Report Summary

Madison Police Department
Official Case Report
Do Not Re-Release

Print Date/Time: 04/10/2017 14:53

Login ID: pdhwn

Case Number: 2017-00116301

*MADISON POLICE DEPARTMENT

ORI Number: WI0130100

Routing:

- ☐ Animal Control
- ☐ Building Inspection
- ☐ Commitment
- ☐ DCHS
- ☐ Death Investigation
- ☐ Fire Investigation
- ☐ Non-Disclosure
- ☐ Outside LE Agency
- ☐ Other
- ☐ Traffic Engineering

Case Number: 2017-00116301. ORI: WI0130100.


Page: 3 of 7

PO PRAY ORIG - SUBSTANTIAL BATTERY

	MADISON POLICE DEPARTMENT		CASE# 2017-00116301
	CASE REPORT		

DETAIL	REPORTED DATE/TIME 04/09/2017 05:11	OCCURRED INCIDENT TYPE Battery Agg/Substantial	LOCATION OF OCCURRENCE W GORHAM ST
	OCCURRED FROM DATE/TIME 04/09/2017 05:05	OCCURRED THRU DATE/TIME 04/09/2017 05:11	Madison, City of
	REPORTING OFFICER ERIC PRAY		

NARRATIVE
<p>ROUTING: PO A RIVERA / SELF</p> <p>ATTACHMENTS: Authorized release from medical and protected health information signed by Cash Otradovec</p> <p>OFFICER NARRATIVE:</p> <p>Initial Information On 4/9/2017 at 5:11 a.m., I was dispatched to W Gorham St reference a fight in progress. When I arrived on scene, I observed a male who was stumbling on the sidewalk and then fell to his hands and knees and was lying on the ground. It was later determined that the victim had been knocked unconscious, making this a substantial battery investigation. When I arrived on scene, I was able to identify the victim as Cash R Otradovec, identified with a Wisconsin photo identification card and having a date of birth of [REDACTED]</p> <p>Contact with Cash Otradovec I arrived on scene with PO Andres Rivera and PO Rivera began to gather witness statements. There were three individuals who had witnessed the event from a balcony at W Gorham St and suspect information was obtained and can be referenced in PO Rivera's report. My understanding was that the suspect was a male black wearing a red baseball cap and having short dreadlocks, wearing a navy blue blazer or sport coat, and khaki pants. When I contacted Otradovec, I observed that he had some redness on the left side of his face and that he was very dazed. I assisted Otradovec to a seated position next to the building as he continued to try to get up off of the ground and I could not stabilize him there due to him continually trying to get up off the ground. I asked Otradovec if he saw the person who struck him, and he told me that he did not. I asked Otradovec if he felt that he had been knocked unconscious or had lost consciousness at any point after being hit in the face, and he told me, "Yes." I did observe a strong odor of intoxicants coming from Otradovec's breath and mouth, and I also observed his eyes to be glassy and bloodshot. Otradovec had trouble speaking in complete sentences, and I noted his speech to be very slurred.</p> <p>Madison Fire EMS then arrived on scene and tended to Otradovec. Otradovec was then transported to the VA Hospital because he is in the military. PO Rivera and I did a walkthrough of the lobby of W Gorham St, [REDACTED] and nothing was seen or heard. I did note that there were numerous cameras in the lobby and I know from prior calls at this address that there are cameras in the elevators. PO Rivera told me that the witnesses noted that the suspects had gone up in an elevator and the camera footage from the lobby and elevator will likely be useful in this investigation.</p> <p>I then went to the VA Hospital and contacted Otradovec in VA ER room 5. Otradovec was still very disoriented and seemed confused about what happened. Doctors at the ER were asking Otradovec what had occurred, and he told them that he could not remember. I contacted Investigator Thomas Parr, who then arrived on scene and took evidentiary photographs of Otradovec's injuries. While at the ER, I did notice that there was some swelling that had begun to occur in the area of Otradovec's right eye and that he had a small bruise off</p>

	MADISON POLICE DEPARTMENT	CASE # 2017-00116301
CASE REPORT		
REPORTING OFFICER ERIC PRAY	REPORT DATE 04/09/2017	
NARRATIVE (continuation)		
<p>to the left of his left eye. Otradovec was also complaining that his jaw hurt. Otradovec indicated that he also had a scrape on his right wrist, which was also photographed by Investigator Parr.</p> <p>I asked Otradovec if he remembered what happened, and he told me, "I don't remember much." I asked Otradovec to give me his address and phone number, as I had not obtained it from him yet. Otradovec's driver's license had an address in [REDACTED], but told me that he lived [REDACTED]. Otradovec was able to give me his phone number, but could not remember his [REDACTED] address. The extent to which Otradovec was able to remember his address was only that he lived about two blocks off of the square and told me that he lived near the Capitol Centre Market. Otradovec tried for a few moments to remember his address, and told me that he could not. I asked Otradovec what the last time he remembered was. He told me initially that the last thing he remembered was being put in an ambulance. Otradovec then told me that he did remember being at his cousin's friend's girlfriend's apartment, and Otradovec identified that as being in [REDACTED] in [REDACTED]. Otradovec told me that he remembered being there with his cousin Logan Murphy, and that Logan Murphy might know who was at the party. Otradovec told me that he could not remember if the individuals who he had this altercation with had been at the party or not, but he did make an utterance as I was standing there with him that was something to the effect of, "I said something stupid and they, uh..."</p> <p>I asked Otradovec if he gave anybody consent to punch him in the face, and he told me, "No." I asked Otradovec if it hurt when he was punched, and he said, "I didn't know I did." I then asked Otradovec if he was currently in pain and he told me that his jaw hurt and that his head hurt very much. I was also able to obtain Otradovec's signature on an authorization of medical release and protected health information form after explaining this form to Otradovec. I also issued Otradovec a Victim Rights Information form and left it with him. I also asked ER staff if they would ensure that it got into his property before he was discharged. I spoke with the emergency room staff, who told me that Otradovec had received a [REDACTED].</p> <p>[REDACTED] Based on Otradovec's original statement when I arrived on scene that he had [REDACTED] my investigation will be consistent with a substantial battery.</p> <p>Review of City Video Cameras</p> <p>After departing from the VA Hospital, I returned to the Central Police District station and reviewed city video cameras. I reviewed the camera located at Bassett St and University Ave, and I see that a group shows up on the camera at 5:05:53 a.m. I can see that Otradovec is walking behind a group of five males when the group appears on camera. Otradovec can be identified in the video as he is wearing a light gray, long-sleeve shirt with darker sleeves, dark blue jeans, and he has light brown hair that is thinning on top. The group of five males and Otradovec then stop in front of [REDACTED] W Gorham St, [REDACTED], and there appears to be some sort of verbal argument and I can see in the video that there is a male figure holding another male figure back from possibly fighting with Otradovec. Otradovec then moves to the front of the group and the five males follow him as they continue walking towards Broom St. The group then stops in front of the Equinox Apartments and they are in the shadows in an unlit area of the sidewalk in front of the Equinox. Due to the distance of the camera away from the incident, I cannot see the fight occur, nor can I see a particular suspect who punches Otradovec. It does appear that at approximately 5:07 a.m. that someone in the group falls to the ground. Just after 5:07 a.m., the camera then turns to face the opposite direction on University Ave and I cannot see the suspects or where they went after the battery occurred. I also checked the camera at Broom and Gorham St and it is pointing the wrong direction to obtain any evidentiary video footage.</p> <p>Disposition</p>		

Case Number: 2017-00116301. ORI: WI0130100.

Page: 5 of 7



MADISON POLICE DEPARTMENT

CASE# 2017-00116301

CASE REPORT

REPORTING OFFICER
ERIC PRAY

REPORT DATE
04/09/2017

NARRATIVE (continuation)

Based on Otradovec's initial statement on scene, I determined that his injuries consisted of losing consciousness, which would qualify as a substantial battery based on his injuries and witness statements. Further follow-up will need to be conducted in the form of obtaining video evidence from both [REDACTED] [REDACTED] I sent an email to other Central Police District officers in hopes that video evidence can be later obtained and further follow-up can be done regarding this incident.


NFA/cmb

PO ERIC PRAY 5117

Case Number: 2017-00116301. ORI: W0130100.

Page: 6 of 7

PO RIVERA, A. - INTERVIEW WITH FRITSCH, KOTZIAN, AND BAHNER

	MADISON POLICE DEPARTMENT	CASE 2017-00116301
CASE REPORT SUPPLEMENT		
REPORTING OFFICER ANDRES RIVERA	REPORT DATE 04/09/2017	
SUPPLEMENTAL NARRATIVE		
<p>SUMMARY: On 04/09/2017, I was in full Madison Police Department military-style uniform operating as 5D1 in fully-marked squad Central 559. I was dispatched to [REDACTED] West Gorham Street in reference to a fight along with PO Pray, who was also in full Madison Police Department military-style uniform. PO Pray arrived on scene prior to me arriving and made contact with the victim. I made contact with two witnesses on scene. The victim was ultimately transported to the VA Hospital and all witness statements were taken and released from the scene.</p> <p>INTERVIEW WITH ZACHARY M. FRITSCH: When I arrived on scene, PO Pray was already in contact with the victim. There was a male standing by, later identified as Zachary M. Fritsch, who stated he had seen the incident take place. I asked him to come over and speak with me. When asked what he had observed, he told me that he had observed the victim get into a verbal altercation with five males out in front of Domino's Pizza. I asked him if he knew what the dispute was over and he stated that he did not. He stated that he heard one of the individuals mention something about "a girl." Zachary said that the five males then circled the victim, later identified as Cash R. Otradovec, and continued yelling at him. He said that Cash was making statements to the effect of, "Really man?" Fritsch then stated that he observed a white male with a red hat and a navy blue sports coat strike Cash on the left side of his face with a closed fist. After being struck, Cash then immediately fell to the ground and was believed to go unconscious. Fritsch said that he observed all five of the males run into the building of the Equinox apartments and that is when he lost sight of them. While speaking with Fritsch, there were two additional males on the second floor of the apartment building, who stated that they saw the whole incident transpire and PO Pray asked for them to come down to our location.</p> <p>INTERVIEW WITH NICKOLAS B. KOTZIAN AND ZACHARY G. BAHNER: Once Nickolas and Zachary came down, I immediately made contact with Nickolas and asked him to explain what happened. He said that he and Zachary were sitting on the balcony on the second floor of the apartment building and he saw five individuals start a verbal altercation with the victim. I asked Nickolas if he heard what the verbal altercation was and he stated that he didn't. He also stated that he heard something about "a girl." Nickolas said that one of the males in the group of five pushed Cash and Cash was not defending himself. He said that the five individuals then made a semicircle around Cash and a male matching the description of a white male with a red hat "cocked back his fist and punch the dude in the face." I asked if Cash retaliated and Nickolas stated that he did not. He said that after being struck Cash had immediately fallen to the ground motionless. Nickolas said that he could hear the individual's fist connecting with Cash's face. He said he believed Cash had to have had broken bones based on the sound that was made when the fist contacted the face. Zachary then said that after Cash went to the ground all five of the males entered into the front door of the [REDACTED] and out of their sight. I asked Zachary to explain to me what had happened and he stated that everything that Nickolas had just told me is exactly what he saw. He said that they were both on the balcony of the second floor of the building together and had been out there for about 1-1/2 hours. I then asked both individuals if there was anything else that they recalled seeing or hearing that may be helpful during the course of the investigation and they stated that they did not.</p> <p>DISPOSITION: PO Pray would then travel to the VA Hospital to remain in contact with the victim and I went to Central District to complete this report.</p> <p>NFI PO ANDRES RIVERA 5347</p>		

Case Number: 2017-00116301. ORI: WI0130100.

Page: 7 of 7

	MADISON POLICE DEPARTMENT CASE REPORT SUPPLEMENT	CASE# 2017-00116301
---	---	----------------------------

REPORTING OFFICER ANDRES RIVERA	REPORT DATE 04/09/2017
--	---

SUPPLEMENTAL NARRATIVE (continuation)
<p>mld</p>